

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v -

Criminal Case No. 21-0080 (NGG)

DOUGLASS MACKEY,

Defendant.

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Certification of Compliance with Local Rule 16.1

Andrew J. Frisch declares as follows pursuant to 28 U.S.C. §1746:

1. I am counsel of record in this case for Douglass Mackey.

2. I hereby certify that I conferred with counsel for the government in a good

faith effort to resolve by agreement the issues raised by the accompanying motion for a bill of particulars without intervention of the Court and have been unable to reach agreement.

3. Counsel for the government declined to answer the following questions:

- In allegedly violating Section 241, was Mr. Mackey affiliated with or was he employed by any organized group, or, instead, did he allegedly conspire with others on Internet social media?
- Did Mr. Mackey allegedly conspire to injure, oppress, threaten, or intimidate any registered voter in the free exercise of the right to vote other than by allegedly posting the purportedly deceptive images identified in the Complaint to his Twitter account?
- Did Mr. Mackey actually injure, oppress, threaten, or intimidate any registered voter in the free exercise of the right to vote?
- What is the basis for venue?

4. Counsel for the government confirmed that it declined to answer the

questions about this case posed by predecessor counsel in his motion for a bill of particulars

(which Mr. Mackey has withdraw). *See* Docket No. 25-2.

I declare under penalty of perjury that the foregoing statements are true and correct.

Dated: March 16, 2022

/s/ Andrew J. Frisch  
Andrew J. Frisch